IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2576 OF 2005

IN

FIRST APPEAL STAMP NO. 35811 OF 2002

Municipal Corporation of
Gr. Mumbai ..Appellants

versus

Tahir Properties Ltd. ..Respondents

Mr. J. J. Xavier for the Appellants.
Mr. Anil Menon for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 19TH JULY,2005

P.C. :

1. Heard.

2. Appeal filed by the appellants was dismissed because they had not filed application for condonation of delay for about 2 years and 174 days. Appeal arises out of a rateable value and to recover taxes. No doubt there is a delay. However, looking to the facts and circumstances of the issue involved, the delay is condoned subject to payment

of cost of Rs.5,000/- (Rupees Five Thousand). Payment of cost condition precedent. Costs to be paid within four weeks from today. Civil Application is allowed and disposed of. Appeal restored to file.

3. Appellants are now permitted and given opportunity to file application for condonation of delay which they were required to file in the First appeal within two weeks from today.

19.7.2005 (D.G. DESHPANDE, J.)